

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 1497.

(Given pursuant to section 4 of the Food and Drugs Act.)

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#### MISBRANDING OF HOPCREAM.

On January 26, 1912, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed an information in the District Court of the United States for said district against Charles F. Ogren, doing business as Charles F. Ogren & Co., Chicago, Ill., alleging shipment by him, in violation of the Food and Drugs Act, on or about December 13, 1910, from the State of Illinois into the State of Indiana, of a consignment of three casks packed with bottles of "Hopcream," a beverage in liquid form, used for food. The product was labeled: "Guaranteed by Chas. F. Ogren & Co., under the Food and Drugs Act, June 30, 1906. Serial No. 24959. Sold in all Temperance Communities. Trade Mark. C. F. O. Purity Age Strength, Ogren's Pepsinated Hopcream Registered Trade Mark. Healthy, Refreshing and Invigorating. Chas. F. Ogren & Co. Chicago. Non-Intoxicating Beer. Keep in a cool place."

Examination made by the Bureau of Chemistry of the United States Department of Agriculture of a sample of this product showed the following results: Odor, malty odor like beer; taste, like lager beer; specific gravity beer, 1.0164; specific gravity dealcoholized beer, 1.0214; extract, 5.69; ash (grams per 100 cc.), 0.108; alcohol (per cent by volume), by specific gravity of distillate, 3.57; by refractive index on separate distillation, 3.60; alcohol, qualitative, positive; protein, 0.22; original gravity of wort, 1.0418; polarization on beer undiluted at 20° C., in 200 mm. tube, +47.4, +43.2, +41.0; P<sub>2</sub>O<sub>5</sub> (grams per 100 cc.), 0.029; total sugar as maltose (grams per 100 cc.), 1.05; pepsin, none by digestion test. Misbranding was alleged in the information for the reason that the label was false and misleading in that it purported to state that the product was a non-intoxicating beer and that it contained pepsin; whereas, as a matter

of fact, it contained a large amount of alcohol which rendered it an intoxicating beverage, but contained no pepsin.

On February 17, 1912, defendant entered a plea of guilty and the court imposed a fine of \$200 and costs.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 27, 1912.*

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